


**LOS ANGELES COUNTY NON-CHAIN, NON-PHARMACIST OWNED
PHARMACY MORATORIUM
NOVEMBER 3, 2008**

In accordance with Section 14043.55 of the *California Welfare and Institutions Code*, I, Sandra Shewry, Director of the Department of Health Care Services, Health and Human Services Agency, State of California, will implement for 180 days, a moratorium on the enrollment of Non-Chain, Non-Pharmacist Owned Pharmacy providers located in Los Angeles County. For purposes of this moratorium, a chain pharmacy is defined as an entity with eleven or more service locations. Upon my approval of this moratorium, the Non-Chain, Non-Pharmacist Owned Los Angeles County Pharmacy Moratorium dated May 2008, will expire and be superseded by this moratorium. This new moratorium will expire on May 1, 2009. This moratorium exempts any of the following applications for provider enrollment:

1. An application based on the purchase or a change of control interest of an existing Medi-Cal provider pharmacy, whether it constitutes a change of ownership or not.
2. An application from a provider meeting the criteria specified in subparagraphs (2) and (3) of subdivision (c) of Section 14199.2 of the California Welfare and Institutions Code with proof that more than 90 percent of the total patients serviced by the pharmacy during the three (3) consecutive months period prior to submission of the application were HIV/AIDS patients.

3. Applications submitted pursuant to California Code of Regulations, Title 22, Section 51000.55, Requirements for Continued Enrollment.
4. Applications submitted pursuant to California Code of Regulations, Title 22, Section 51000.30(a), by an existing Medi-Cal enrolled pharmacy provider for the sole reason of changing its location provided that its previous business address was located in Los Angeles County.
5. Applicants that are the exclusive persons or entities in the United States to provide a specific product or service that is a Medi-Cal covered benefit.
6. The enrollment of a County, State, or Federally owned and operated pharmacy.
7. Applications submitted pursuant to California Code of Regulations, Title 22, Section 51000.30(b)(6) with no change in the person(s) previously identified in the last complete application package that was approved for enrollment as having a control or ownership interest in the provider totaling five percent or greater.
8. Applicants who will be enrolled solely for reimbursement of Medicare cost sharing amounts.

This action is necessary to safeguard public funds and to maintain the fiscal integrity of the Medi-Cal program.


Sandra Shewry
Director
Department of Health Care Services
Health and Human Services Agency
State of California
10/7/08
Date